II. REMARKS

A. Introduction

In this Office Action claims 1-11 are noted as pending and are rejected based on prior art.

In this Response claim 9 is canceled, the specification and claims 1-4, 10 and 11 are amended, new claims 12-18 are added to afford a differing scope of protection for the invention to which the applicants are entitled, and remarks are provided.

B. Rejection of Claims 1-4 and 8-11 Under 35 U.S.C. §102

These claims have been rejected as being anticipated by Lutschounig et al.

Rejected claim 9 has been canceled as noted above. Nevertheless, it is respectfully submitted that the present invention, as recited by amended claims 1-4 and 8, 10 and 17, was neither anticipated nor made obvious by the cited prior art for the following reasons.

Claim 1 has been amended to include the limitation of cancelled claim 9, and recites that first and second electrodes are formed on one surface side of the light-emitting layer, and an electrically conductive material is placed on another surface side of the liquid-emitting layer *which is opposite to the one surface side*.

The Action indicates that Fig. 5 of Lutschounig et al. shows an electrically conductive material (8b) placed on the light-emitting layer. However, in Fig. 5 of Lutschounig et al., the purported "electrically conductive material" (8b), as well as the electrode (8b) and the electrode (2a), are all formed on the same side of the light-emitting layer. See Fig. 5, as well as Figs. 4 and 6. The description of Fig. 4 indicates that after the electrodes 2(a), 8(a) and 8(b) are formed, the electroluminescent layer if formed thereover. Col. 4, lines 36-48.

According to the present invention, the electrically conductive material (for example, ink or the like) is not a part of the EL light emitting sheet. When the electrically conductive material is placed on a surface of the light-emitting layer and an AC power supply voltage is applied between the electrode pair, a closed circuit is formed between the conductive material and the electrode pair through the light-emitting layer. Thus, the portion of the light-emitting layer just under the placed electrically conductive material locally emits light.

On the other hand the electrically conductive material according to the present invention can be easily removed. When removed the closed circuit which was formed is broken, even if

the AC power supply voltage is applied. Thus, the electroluminescence light emitting sheet does not substantially emit light.

Thus, the electrically conductive material is placed on the another surface side of the light-emitting layer, which is opposite to the first surface side in which the first and second electrodes are disposed. This structure is clearly different from the structure and operation of Lutschounig et al.

In addition, there is no suggestion or motivation in Lutschounig et al. to place the electrodes 2(a), 8(a) and/or 8(b) other than on the same side of the light-emitting layer 6, and the operability of this structure, using the electrodes of this reference are questioned. At a minimum, the disclosure of this reference speaks of moving the electrodes closer together, not separating them. See, e.g., Col. 5, lines 64-65 and Col. 6, lines 1-10.

New claim 12 recites that, when the electrically conductive material is placed on the light-emitting layer (that is, for example, when a user draws an arbitrary chart by applying an electrically conductive material ink or the like), only the portion of the light-emitting layer just under the placed electrically conductive material locally emits light. Thus, a user can draw an arbitrary light emitting chart on a drawing screen.

New claim 13 recites that, when the electrically conductive material is removed, the closed circuit, which was formed when the electrically conductive material was placed on this second surface side of the light-emitting layer, is broken. Thus, the electroluminescence light emitting sheet does not substantially emit light.

New claims 14-16 recite embodiments of the gap between the electrodes, the widths of the electrodes, or both the gap and the widths, which are exclusive of Lutschounig et al.'s disclosure.

New claim 17, recites that the EL light emitting sheet comprises a waterproof layer. The waterproof layer prevents penetration of the electrically conductive material. Thus, the generation of electrolysis between the electrodes can be prevented. Moreover, the snapping (damage) of a wire caused by the oxidation of the electrodes can be prevented.

New claim 18 corresponds generally to claim 5 but relates to a copper layer as disclosed at page 7, lines 11-15.

C. Rejection of Claim 5
Under 35 U.S.C. §103

This claim has been rejected as being made obvious by a combination of Lutschounig et al. and Hashimoto, U.S. Published Application No. 2002/0017857, the latter of which is cited for teaching an aluminum layer.

The comments above regarding the shortcomings in the structure of Lutschounig et al., relative to claim 1, from which claim 5 depends, are expressly incorporated herein. Further, regardless of any aluminum layer of Hashimoto, this secondary reference fails to compensate for the incomplete teaching of the primary reference. Most particularly, Hashimoto lacks any suggestion of using an electrically conductive material on a surface of a light-emitting layer that is opposite the surface where the electrodes are.

D. Rejection of Claims 6-7
Under 35 U.S.C. §103

These claims are rejected as being made obvious by the above combination and further in view of Endo, USP 4,686,110. The Action states that Endo teaches the EL devices with electrodes having a thickness of 100-800Å.

Again, the comments above regarding claim 1 are incorporated by reference. In addition, it is respectfully submitted that there is no description of the thickness of electrodes in Endo. Endo's disclosure only relates to a metal oxide film on the electrodes having a thickness of about 100-800Å. See, e.g., the Abstract and Col. 1, lines 49-51. It is not believed that this reference expressly indicates the thickness of the electrode layer 2. Nevertheless, this reference, like Hashimoto fails to suggest the need or means for using an electrically conductive material on a surface of a light-emitting layer that is opposite the surface where the electrodes are.

III. CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that claims 1-8 and 10-18 are now in condition for allowance.

If there are any additional fees associated with this Response, please charge same to our Deposit Account No. 19-3935.

Finally, if there are any formal matters remaining after this Response, the undersigned would appreciate a telephone conference with the Examiner to attend to these matters.

Respectfully submitted,

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